

Message Text

CONFIDENTIAL

PAGE 01 STATE 163809
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY EUR/NE:DJDONCHI:NLS
APPROVED BY EUR - RDVINE
EUR/NE - JJCROWLEY, JR.
L/OES - TLEITZELL (PHONE)
OES/OFA - KCLARK-BOURNE
EUR/SOV - SMCCALL
S/S-O:TGMARTIN

-----045126 140231Z /75-62

P R 140159Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY OSLO PRIORITY
INFO AMEMBASSY MOSCOW
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY PARIS

C O N F I D E N T I A L STATE 163809

EXDIS

E.O. 11652: GDS

TAGS: EFIS, PBOR, SV, NO

SUBJECT: NORWEGIAN FISHERY PROTECTION ZONE AROUND SVALBARD

REFS: (A) OSLO 2960; (B) OSLO 2787; (C) STATE 128434; (D)
OSLO 2662; (E) OSLO 3225

1. APPRECIATE EMBASSY EVALUATION OF TACTICAL APPROACH IN
COMMUNICATING FORMAL US RESERVATION ON RECENTLY ESTABLISHED
SVALBARD FISHERY PROTECTION ZONE (FPZ) TO NORWEGIAN
GOVERNMENT. DEPARTMENT AGREES THAT BROAD US OBJECTIVE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 163809

IS TO SUPPORT NORWEGIAN ASSERTION OF SOVEREIGNTY ON
SVALBARD VIS A VIS THE USSR WHILE PROTECTING OUR INTERESTS
UNDER THE TREATY.

2. WE DO NOT FEEL, HOWEVER, THAT A PRO-FORMA RESERVATION
(IN FACT A REAFFIRMATION OF AN ORAL RESERVATION
FIRST EXPRESSED IN 1976) WOULD BE SEEN BY NORWAY AS

COLLUSION WITH THE USSR IN A SUPERPOWER CONDOMINIUM, ESPECIALLY AFTER THE SOVIET PROTEST (REF A). MOREOVER, THE PURPOSE OF THE RESERVATION IS MERELY TO PRESERVE WHATEVER RIGHTS WE MAY HAVE UNDER THE 1920 TREATY IN LIGHT OF THE NEW FPZ AND THUS BOLSTER OUR EARLIER FORMAL RESERVATION ON HYDRO-CARBON/MINERAL RESOURCES ON THE SVALBARD SHELF. THIS IS A ROUTINE, LEGAL SAFETY MEASURE -- WHATEVER

SORT OF DETAILED REGIME THE NORWEGIANS EVENTUALLY WORK OUT AND THE FACT THAT WE DO NOT HAVE TRADITIONAL FISHING INTERESTS IN THE AREA ARE ESSENTIALLY IRRELEVANT TO THE SPECIFIC PURPOSE OF THE PRESENT RESERVATION.

3. WHILE THE POINT YOU RAISE ON THE BEAR ISLAND/MAINLAND MEDIAN LINE IS AN INTERESTING ONE AND CERTAINLY WARRANTS FURTHER CONSIDERATION, DEPARTMENT DOES NOT BELIEVE THAT ISSUE NEEDS TO BE RESOLVED OR DISCUSSED WITH NORWEGIANS PRIOR TO US RESERVATION ON FPZ.

4. IN CONVERSATION WITH SECRETARY, WE MENTIONED TO FOREIGN MINISTER FRYDENLUND THAT WE WOULD GIVE THE NORWEGIANS A LEGAL RESERVE ON THE FISHERY PROTECTION ZONE "IN DUE COURSE." FRYDENLUND LATER ASKED DEPUTY ASSISTANT SECRETARY VINE WHETHER THIS RESERVE MIGHT BE CONSTRUED AS A PROTEST. VINE SAID WE HAD IN MIND A MINIMAL RESERVE OF LEGAL RIGHTS. OUR POSITION REMAINS AS WE INDICATED LAST CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 163809

FALL, THAT THE PRAGMATIC NORWEGIAN APPROACH IS GENERALLY RIGHT AND WE WANT TO BE SUPPORTIVE.

5. IN VIEW OF THIS EXCHANGE WITH FRYDENLUND AND YOUR ANALYSIS OF THE SOVIET RESERVE (REF E), WE BELIEVE IT WOULD NOW BE PREFERABLE TO GIVE THE NORWEGIANS A LOW-KEY ORAL RESERVATION WHILE LEAVING A BARE-BONES AIDE-MEMOIRE SO THAT THE RECORD WILL BE COMPLETE. WE LEAVE THE LEVEL OF APPROACH TO THE EMBASSY'S DISCRETION.

6. THE TEXT OF THE RESERVATION (PARA 3 REF C) SHOULD BE PRUNED TO READ AS FOLLOWS: "THE US WISHES TO NOTE THAT THE RESERVATION OF UNITED STATES RIGHTS UNDER THE 1920 TREATY EXPRESSED IN ITS AIDE-MEMOIRE OF NOVEMBER 21, 1974 ALSO APPLIES TO THE 200 MILE FISHERY PROTECTION ZONE AROUND SVALBARD."

7. IN MAKING APPROACH YOU SHOULD REEMPHASIZE ORALLY THE NON-POLITICAL NATURE OF A MOVE WE SEE AS A PRIMARILY LEGAL MEASURE WHICH IN NO WAY DIMINISHES OUR SUPPORT FOR NORWEGIAN SOVEREIGNTY ON THE SVALBARD LAND AREAS OR OUR DESIRE TO STRENGTHEN THE NORWEGIAN HAND VIS A VIS THE SOVIET

UNION ON THE SVALBARD ARCHIPELAGO. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, CONSERVATION, FISHING LIMITS, DIPLOMATIC PROTESTS
Control Number: n/a
Copy: SINGLE
Sent Date: 14-Jul-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE163809
Document Source: CORE
Document Unique ID: 00
Drafter: DJDONCHI:NLS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770250-0226
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770757/aaaabxec.tel
Line Count: 117
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 007c566b-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 77 OSLO 2960, 77 OSLO 2787, 77 STATE 128434
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1860228
Secure: OPEN
Status: NATIVE
Subject: NORWEGIAN FISHERY PROTECTION ZONE AROUND SVALBARD
TAGS: EFIS, PBOR, SV, NO, UR
To: OSLO
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/007c566b-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009